

**Minutes
Public Hearing
of the
Louisville Metro Air Pollution Control Board
October 15, 2008**

A public hearing of the Louisville Metro Air Pollution Control Board was called to order October 15, 2008, at 10:04 a.m. in the Board Room of the Louisville Metro Air Pollution Control District, 850 Barret Avenue, Louisville, Kentucky, by the Chairman, Dr. Robert Powell.

General Statement, Rules and Purpose

The Chairman read the opening announcements, rules, and purpose of the Public Hearing, which was to review amendments to two regulations.

1. Amendment to Regulation 2.08, *Emission Fees, Permit Fees, Permit Renewal Procedures, and Additional Program Fees*, Version #22, Draft #1 – Proposed, August 22, 2008

Ms. Anderson explained the proposed amendment to Regulation 2.08. The changes include (1) amending the regulation to reduce the permit fee for very large friable asbestos demolition/renovation projects by reducing the fee for increments of friable material over five increments by 75% instead of the current level of one hundred increments; and (2) replacing the Fiscal Year 2007 fees to reflect the current Fiscal Year 2009 fees.

Public Comment

Ms. Anderson said that no public comments were received.

2. Amendment to Regulation 6.40 *Standards of Performance for Gasoline Transfer to Motor Vehicles (Stage II Vapor Recovery and Control)*, Version #3, Draft #1 – Proposed, September 2, 2008

Ms. Anderson stated the purpose of the proposed amendment to Regulation 6.40 is to exempt a gasoline dispensing facility at a rental car facility from the requirement to operate a Stage II system provided that only vehicles in the fleet are refueled, and at least 95% of the vehicles in the fleet are equipped with onboard refueling vapor recovery equipment (ORVR). Another change is to exempt initial fueling of new motor vehicles at a motor vehicle assembly facility. Also, the proposed amendment will require that companies submit annual written reports stating that 95% of their vehicles are equipped with ORVR, updating the written report annually, and notifying the District when the Stage II systems will be decommissioned.

Ms. Anderson stated that additional amendments will be made to Regulation 6.40 when more vehicles are equipped with ORVR systems and possibly combining the Stage I and Stage II regulations.

Statements

Mr. Jacob asked when the general population of vehicles will have ORVR. Ms. Anderson stated that EPA has projected Louisville will be 95% compliant with ORVR sometime after 2010. She also stated the District will implement other technologies that are compatible with ORVR that will not create excess emissions.

Ms. Smith asked for clarification on the date that ORVR is required for all cars. Mr. Anderson stated that EPA passed the regulations in 1996 and provided for a phase-in approach requiring vehicles to have ORVR. Mr. Jacob stated that according to EPA's Web site, ORVR was required for 40% of 1998 model year cars, and ORVR was mandatory for all cars manufactured in 2000. Light trucks had a six year phase-in period beginning with 2001 models, with 100% ORVR compliance in 2007.

Adjournment

The public hearing adjourned at 10:17 a.m.

Robert W. Powell, M.D.
Chairman

Joseph E. Schweinhart
Secretary-Treasurer